
UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF TEXAS

RONALD LEE ALEXANDER,

Plaintiff,

versus

JONATHAN DAVIS, *et al.*,

Defendants.

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CIVIL ACTION NO. 1:06-CV-228

**MEMORANDUM ORDER OVERRULING PLAINTIFF'S OBJECTIONS AND
ADOPTING THE MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION**

Plaintiff Ronald Lee Alexander, a prisoner confined at the Stiles Unit of the Texas Department of Criminal Justice, Correctional Institutions Division, proceeding *pro se* and *in forma pauperis*, filed this civil rights action pursuant to 42 U.S.C. § 1983.

The court ordered that this matter be referred to the Honorable Earl S. Hines, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this court. The magistrate judge has submitted a Report and Recommendation of United States Magistrate Judge. The magistrate judge recommends dismissing this action pursuant to 28 U.S.C. § 1915(e).

The court has received and considered the Report and Recommendation of United States Magistrate Judge, along with the record, pleadings, and all available evidence. Plaintiff filed objections to the magistrate judge's Report and Recommendation.

The court has conducted a *de novo* review of the objections in relation to the pleadings and the applicable law. *See* FED. R. CIV. P. 72(b). After careful consideration, the court concludes the objections are without merit. With respect to his retaliation claim, plaintiff has not shown

direct evidence of motivation or a chronology of events from which retaliation may be inferred. *See Allen v. Thomas*, 388 F.3d 147, 149 (5th Cir. 2004). Plaintiff's equal protection claim fails because plaintiff has not demonstrated that he was treated differently from other individuals, or that he was denied privileges because of the impact that decision would make on an identifiable group to which plaintiff belongs. *See Taylor v. Johnson*, 257 F.3d 470, 473 (5th Cir. 2001).

ORDER

Accordingly, plaintiff's objections are **OVERRULED**. The findings of fact and conclusions of law of the magistrate judge are correct, and the report of the magistrate judge is **ADOPTED**. A final judgment will be entered in this case in accordance with the magistrate judge's recommendation.

SIGNED at Beaumont, Texas, this 30th day of March, 2007.



MARCIA A. CRONE
UNITED STATES DISTRICT JUDGE